REMARKS

The Examiner has objected to the drawings since the drawings fail to show the notch of the sealing element. Applicants have submitted herewith a new FIG. 19 which illustrates this embodiment in that it shows a sealing element having a notch formed on at least one of the obverse and reverse sides of the endless portion. No new matter has been added since this feature finds support in the claims, including claim 1.

Based on the Examiner's recommendation, the title of the invention has been changed.

Claims 1-11 stand rejected under 35 U.S.C. 112, second paragraph. The Examiner contends that the recited "fitting means" in the claims fails to meet the 3-prong analysis of a "means plus function". Applicants respectfully disagree with the Examiner's conclusion and contend that the claim limitation is in fact written as a function to be performed as opposed to being a structural limitation. Accordingly, the claim limitation at issue does not recite sufficient structure, material, or acts which would preclude application of 35 U.S.C. 112, 6th paragraph. The claim limitation is a "fitting means" which describes the function that the member performs, namely the member comes into pressure contact with a complementary feature (e.g., compartmentalized inner wall of a fit-holding groove). The member thus performs the stated function in that it provides a fit between the sealing element and some other member.

Applicants therefore respectfully submit that the claimed structure is sufficient to invoke 35 U.S.C. 112, 6th paragraph. Reconsideration and withdrawal of this rejection are respectfully submitted.

Claim 1 stands rejected under 35 U.S.C. 102(b) as being anticipated by Meyer et al.

Applicants have amended claim 1 to recite that a rounded projection is formed at the distal end of the protruding part. None of the cited references discloses such a feature except for Poltorak. The Examiner has used the Poltorak reference as teaching the provision of a rounded projection at the end of a sealing element protruding part. However, protuberances 26 of Poltorak are merely provided at terminal portions of the L-shaped gasket 10 so as to enhance surface contact between the gasket 10 and wall 18 of autoclaves and not intended for reduction of friction as well as prevention of arising of particles, as anticipated in the present invention.

Moreover, there is an advantageous effect of the rounded projection of the present sealing element, namely that the rounded projection provides an effect of preventing waving of the distal end of the protruding part. That is to say, as shown in drawing A of the attached Exhibit which shows a perspective view of a sealing element without a rounded projection, the distal end of the flexible protruding part projected obliquely outwards tends to form a wavy configuration as pressure is applied to the sealing element during service, which would result in uneven distribution of sealing force, hence it is difficult to attain a steady and even sealing effect.

On the other hand, as in the configuration illustrated in supplemental drawing B of the Exhibit which shows a perspective view of a sealing element provided with a rounded projection as in the present sealing element, it is possible to prevent occurrence of the wavy configuration, thus the seal element would achieve an all-round tight contact with a door element, hence a steady and even sealing effect is attained.

None of the references cited, including Poltorak, either disclose or suggest such effects as prevention of waving of the distal end protruding part of the sealing element.

Based on the foregoing, Applicants respectfully submit that none of the cited references disclose or even suggest each feature of claim 1 and more specifically, none of the cited references discloses or suggests providing a rounded projection in the claimed location. As previously mentioned, Poltorak discloses forming rounded ends but they are not formed at the distal end of a protruding part having the characteristics set forth in claim 1. Claim 1 recites that the protruding part projects approximately obliquely outwards from the periphery of the endless portion. The members which have the rounded ends in Poltorak can not be characterized as being the claimed protruding parts since they are merely vertical walls of the body of the gasket.

In view of the foregoing comments, reconsideration and allowance of claim 1 are respectively requested.

Claims 9-11 stand rejected under 35 U.S.C. 102(b) as being anticipated by Bonora et al. Applicants respectfully traverse this rejection for the following reasons. Claim 9 has been amended to recite that the container body is of a front-open box type container body as best shown in Fig. 3 of the present application. In Bonora et al., a container 70 is shown in Fig. 3 and includes box 72 and box door 74 which mate together. The box 72 is a domed housing that mates with and seals with the box door 74. This is a completely different structure than the one that is recited in claim 9 since the claimed container body is open in the front (i.e., it is a front-open box type container) as opposed to the box in Bonora et al. It is also not a mere design modification to convert

the box of Bonora et al. into a front-open box since this would defeat the sealing arrangement between the box 72 and the box door 74 and therefore it would be entirely counterproductive and self-defeating to make such a change.

Applicants respectfully submit that the open-front nature of the container body is neither disclosed nor suggested by the cited reference and therefore, the rejection of claim 9 should be withdrawn. Reconsideration and allowance of claim 9 are respectfully requested.

Claim 10 should be allowed as depending from what should now be an allowed independent claim 9.

Claim 11 has been canceled without prejudice.

The rejection of claim 2 is moot since this claim has been canceled without prejudice.

Claim 6 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Meyer in view of Poltorak in further view of Ryan. Claim 6 should be allowed as depending from what should be an allowed independent claim 1 and further, the secondary references do not cure the deficiencies of the primary reference and teach or suggest all of the claimed features.

Claim 4 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Meyer in view of Poltorak and Semon. Claim 4 should be allowed as depending from what should be an allowed independent claim 1 and further, the secondary references do not cure the deficiencies of the primary reference and teach or suggest all of the claimed features.

Claim 8 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Meyer in view of Poltorak and Semon and further in view of Ryan. Claim 8 should be allowed as depending from what should be an allowed independent claim 1 and further, the secondary references do not cure the deficiencies of the primary reference and teach or suggest all of the claimed features.

Claim 3 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Meyer in view of Poltorak and Semon. Claim 3 should be allowed as depending from what should be an allowed independent claim 1 and further, the secondary references do not cure the deficiencies of the primary reference and teach or suggest all of the claimed features.

Claim 7 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Meyer in view of Poltorak and Semon and further in view of Ryan. Claim 7 should be allowed as depending from what should be an allowed independent claim 1 and further, the secondary references do not cure the deficiencies of the primary reference and teach or suggest all of the claimed features.

Claim 5 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Meyer in view of Ryan. Claim 5 should be allowed as depending from what should be an allowed independent claim 1 and further, the secondary references do not cure the deficiencies of the primary reference and teach or suggest all of the claimed features.

No other issues remain.

It is believed that the present Amendment is fully responsive to the outstanding Office Action. If there are any other issues remaining which the Examiner believes could be resolved through either a Supplemental Response or an Examiner's

Amendment, the Examiner is respectfully requested to contact the undersigned at the telephone number indicated below.

Respectfully submitted,

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MARKED UP COPY OF THE AMENDED SPECIFICATION AND CLAIMS

IN THE SPECIFICATION

Page 1, replace the title with the following paragraph:

A SEALING ELEMENT WITH A PROTRUDING PART APPROXIMATELY OBLIQUELY OUTWARD AND A[,] HERMETIC CONTAINER USING THE SAME [AND A SEALING METHOD THEREOF]

Page 15, please replace the paragraph beginning with "Fig. 17" with the following paragraph:

Fig. 17 is a sectional illustration showing a sealing element in the seventh embodiment of a hermetic container and its sealing method according to the present invention;[and,]

Page 15, please replace the paragraph beginning with "Fig. 18" with the following paragraph:

Fig. 18 is a sectional illustration showing one embodiment of a hermetic container and its sealing method according to the present invention; and

Page 31, between lines 18 and 19, please insert the following new paragraph:

FIG. 18 shows the eighth embodiment of the present invention. This embodiment is similar to earlier embodiments in that a flexible protruding part 22 is

projected obliquely from the endless portion 21. This protruding part 22 is integrally formed at its distal end with a rounded projection, while a notch 23' is formed on the obverse surface. In this embodiment, instead of having a pair of fitting ribs, the sealing element includes the notch 23'.

IN THE CLAIMS

1. (Amended) A sealing element which is interposed between the opening face of a fitted element and fitting element and elastically deformable so as to prevent leakage from the interior and entrance from the exterior, comprising:

an endless portion;

a flexible protruding part projected approximately obliquely outwards from the periphery of the endless portion; and

a fitting means having a notch or projection formed on at least one of the obverse and reverse sides of the endless portion, wherein a rounded projection is formed at a distal end of the protruding part.

4. (Amended) The sealing element according to claim 12, wherein the fitting means comprises a plurality of fitting ribs, and among the plurality of fitting ribs, the fitting rib located closest to the entrance side of a fit-holding portion formed on the opening face of the fitted element or on the fitting element side are higher than those located on the interior side of the fit-holding portion.

6. (Amended) The sealing element according to claim 12, wherein the protruding part is set curved inwardly in the direction of squeezing so that the curved portion of the protruding part comes into contact with the contact surface of the fitted element or the contact surface of the fitting element.

9. (Amended) A hermetic container comprising:

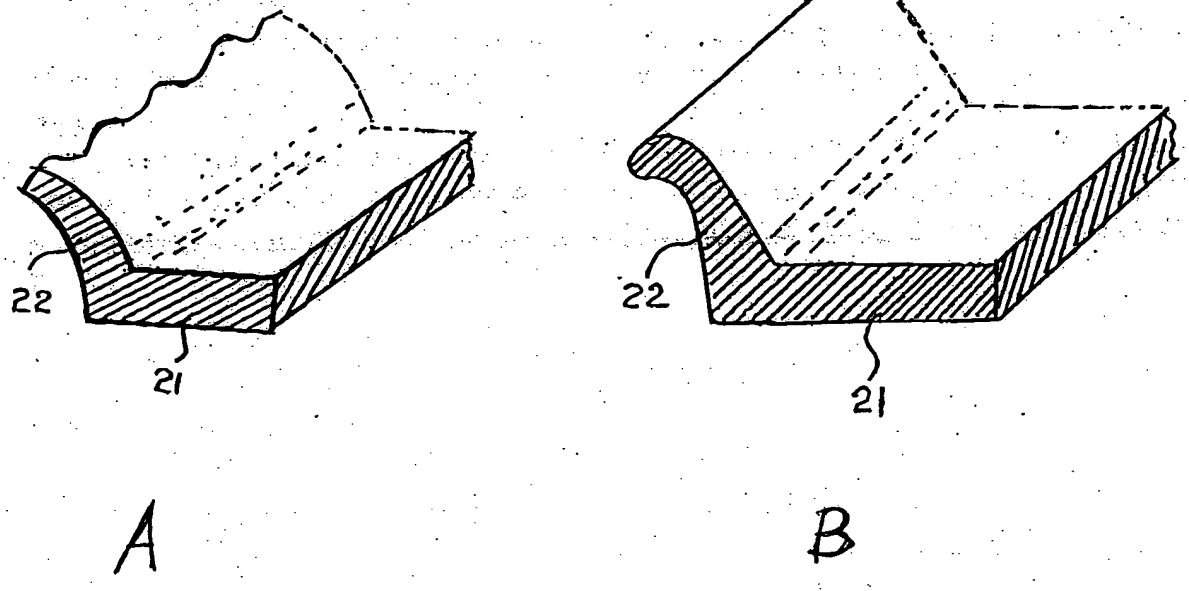
a container body having an opening face;

a door element to be detachably fitted to the opening face of the container body, wherein the container body is of a front-open box type container body; and

an elastically deformably sealing element interposed between the opening face and the door element,

characterized in that a fit-holding portion is formed by notching either the inner periphery of the opening face of the container body or the outer periphery of the door element, and the sealing element comprises: an endless portion to be fitted into the fit-holding portion; a flexible protruding part projected from the endless portion, obliquely and outwardly with respect to the opening face of the container body, forming a substantially acute angle between itself and the contact surface of the door element or the contact surface of the opening face of the container body; and a fitting means having a notch or projection formed on at least one of the obverse and reverse sides of the endless portion and fitted in contact with the compartmentalized inner wall of the fit-holding portion.

EXHIBIT



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